

PB# 73-35

**Sesame Estates
(Never Materialized)**

Sesame Estates

73-35

never materialized
filed with Town Clerk's office 7/24/79 JH



Oxford Pendaflex
CORPORATION

STOCK No. 753 1/3

• • •

MADE IN U.S.A.



Oxford Pendulflex
COOPERATIVE

STOCK No. 753 1/3

MADE IN U.S.A.

GENERAL RECEIPT

2829

Town of New Windsor, N. Y.

May 28, 1976

Received of Alfred Cavalari, Esq. \$ 25.⁰⁰/_{xx}

Twenty - five and 00/100 Dollars

For Public Hearing Fee - Sesame Estate

DISTRIBUTION:

| FUND | CODE | AMOUNT |
|------|------|--------|
| | | |
| | | |
| | | |

BY Pauline P. Townsend

Deputy Town Clerk

TITLE

PUBLIC NOTICE OF HEARING
BEFORE THE PLANNING BOARD
OF THE TOWN OF NEW WINDSOR
 Pursuant to Town of New Windsor
 Subdivision Regulations, Section
 4.B., a Public Hearing will be held at
 the Office of the Planning Board,
 Town Hall, 225 Union Avenue, Town
 of New Windsor on Wednesday the
 9th day of June, 1976 at 7:30 o'clock
 in the evening to consider the
 preliminary plan of Leanne Estates
 Inc. for a proposed 120 lot subdivi-
 sion on the site of approximately
 eighty-four acres situated north and
 east side of Mt. Airy Road.
 By order of the Planning Board of
 the Town of New Windsor, Orange
 County, State of New York.
 Dated: May 24, 1976
 HENRY VAN LEEUWEN
 Chairman
 SHIRLEY B. HASSIDENTEUFEL
 Recording Secretary
 May 27 1976

State of New York
County of Orange, ss:

Olga Trachewsky , being duly sworn deposes and
 she
 says that ~~he~~ is Principal Clerk of Newburgh-
 Beacon News Co., Inc., Publisher of The Evening News,
 a daily newspaper published and of general circulation in
 the Counties of Orange and Dutchess, and that the notice
 of which the annexed is a true copy was published
 One Time

 in said newspaper, commencing on the.....27th.....day of
May.....A.D., 1976 , and ending on
 the27th..... day ofMay..... A.D., 1976

Subscribed and sworn to before me this
27th..... day of.....May..... 19.....76





.....
Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 1977

Cavalari & Larocca

ATTORNEYS AT LAW
POST OFFICE BOX 276
VAILS GATE, NEW YORK 12584

RECEIVED
JAN 1 2 1976
NEW WINDSOR PLANNING BOARD

Alfred F. Cavalari

2 January 1976

Telephone:
914-561-5969

Elia M. Larocca

Mr. Joseph Loscalzo
Chairman, New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

Re: Sesame Estates

Dear Mr. Loscalzo:

Supplementing my letter of December 31st, I met with Highway Superintendent Vesley and show him the new proposed sketches. He states that this sketch is acceptable to him since it has only 2 turn arounds.

Yours truly,

Alfred F. Cavalari
ALFRED F. CAVALARI

AFC/rl

Date

MAY 9, 1973

Application No.

73-35

APPLICATION FOR SUBDIVISION APPROVAL

Town of New Windsor, 535 Union Avenue, Orange County, N.Y.

TEL: 553-8808

Application is hereby made for subdivision of lands situated in the Town of New Windsor and described as follows:

- 1. Name of subdivision SESAME ESTATES
- 2. Location MT AIRY RD
- 3. Acreage 84 4. Number of lots 120 5. Zone RA
- 6. Name & address of subdivider SESAME ESTATES INC
c/o A. CAVALARI BOX 276 VAILS GATE N.Y.
- 7. Name & address of record owner of land SESAME ESTATES INC
c/o A. CAVALARI BOX 276, VAILS GATE N.Y.
- 8. Present and intended uses VACANT LAND - RESIDENTIAL

The undersigned applies for subdivision approval of the above described lands under the rules and procedure of the "Land Subdivision Regulations of the Town of New Windsor" as duly authorized by the Town Board of New Windsor, New York. Upon approval of the Preliminary Layout of said subdivision the applicant agrees to install such utilities as are required and to complete the streets as finally approved by the Planning Board or in lieu of this to post a performance bond as set forth and provided in the "Land Subdivision Regulations". Copies of the Preliminary layout are hereby attached.

Compliance with requirements shall be the sole responsibility of the applicant or his representative and it is suggested a copy of the Subdivision Regulations be obtained to avoid rejection of the plans. Seven (7) copies of the plans are required.

Fees are due and payable upon submission of the preliminary plans. All checks are to be made payable to the Town of New Windsor.

Signature of applicant

SESAME ESTATES INC

[Handwritten Signature]

IRVING RASKIN, PRES.

SEASAME ESTATES INC
EUSTANCE and Horowitz

MR. GIBS

361 2741

Cavalari & Laroocca

ATTORNEYS AT LAW
POST OFFICE BOX 276
VAILS GATE, NEW YORK 12584

*Received July 29
P. Henry VanLeeuwen*

*Alfred F. Cavalari
Elia M. Laroocca*

15 July 1976

Telephone:
914-561-5969

Mr. Henry VanLeeuwen
Chairman, New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

Re: Sesame Estates

Dear Mr. VanLeeuwen:

We have still not received a decision on our application for preliminary approval. Since this matter goes back to 1973 I am sure you can well appreciate our consternation at any further delay and would greatly appreciate having the decision rendered so that we may know our future course.

Thank you

Yours truly,

Alfred F. Cavalari
ALFRED F. CAVALARI

AFC/r1
Certified Mail RRR #927590
cc: Mr. Irving Raskin

received July 30
P/B M.

Cavalari & Larocca

ATTORNEYS AT LAW
POST OFFICE BOX 276
VAILS GATE, NEW YORK 12584

Alfred D. Cavalari
Elia M. Larocca

Telephone:
914-561-5969

July 20, 1976

Mr. Henry Van Leeuwen, Chairman
New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

Re: Sesame Estates- Preliminary Approval

Dear Hank:

Thank you for your letter of July 15th. I have to say however, that I must respectfully disagree with the Board's opinion that it is necessary to find out about water services before granting preliminary approval.

As stated many times at the hearing, we are not asking for final approval and so, that question of water does not even come up for preliminary. If water is not available, we of course, would never get final approval. It was made very clear at the hearing that whether in fact, there would be water available, would be up to State engineers, etc., and we are certainly willing to comply with that requirement, but at the proper time. I point out however, that there is nothing in the sub-division regulations requiring that an applicant provide proof of water availability. I respectfully submit that it would make about as much sense for the applicant to build the roads before getting preliminary approval. The whole point, of course, is that we are being put one step ahead of ourselves in criteria, when we have not even had a chance to get into that phase. I have my doubts as to whether this can be done legally, although I certainly hope that this issue will not develop any further.

Finally, I point out that at the insistence of the Town, the applicant put up about \$5,000.00 for water studies done by Kartiganer Engineers, and we were not allowed even to make application until this money was put forth. The results of that study indicated that water would be available. While I don't suggest that that study is final, I think you would have to agree my client had done even more than it even had to for only a

-2-

Mr. Henry VanLeeuwen, Chairman

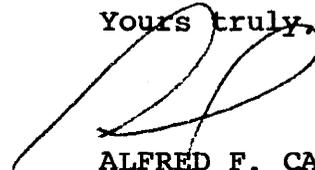
July 20, 1976

preliminary application.

We certainly look forward to hearing the results of the July 28th meeting and assuming it is affirmative, you can be sure of our cooperation in the future as in the past on all aspects. I point out that the applicant has not been a hit and run developer. We have taken three years just on preliminary approval, and have owned the land for over five years. A lot of taxes and expense have been incurred to date, and I think we are entitled to develop the land of course, in accordance with the reasonable requirements of the Town.

Thank you.

Yours truly,



ALFRED F. CAVALARI

AFC/sf

PUBLIC NOTICE OF HEARING
BEFORE THE PLANNING BOARD
OF THE TOWN OF NEW WINDSOR

Pursuant to Town of New Windsor Subdivision
Regulations, Section 4.B., a Public Hearing will be
held at the Office of the Planning Board, Town Hall,
555 Union Avenue, Town of New Windsor on WEDNESDAY
the 9th day of JUNE, 1976 at
8:00 o'clock in the evening to consider the ~~the~~ PRELIMINARY
plan of SESAME ESTATES INC. for
a proposed ~~130~~ 130 lot sub-
division on the site of approximately EIGHTY FOUR
acres situated NORTH AND EAST SIDE OF
MT AIRY ROAD

By order of the Planning Board of the Town of
New Windsor, Orange County, State of New York;

Dated: July 24, 1976

Henry Van Leeuwen
Chairman

by Shirley B. Howard
Recording Secretary



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 665-8808

1763

✓ Fayo, Fred & Marion T.
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Pirnik, George & Helen
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Burke, Eleanor
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Fayo, Fred Sr. & Marion
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Copperill, Anthony & Alice
103 E. Rockwood Drive
Port Rickey, Florida 33508

✓ Marecek, Charles & Jean
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Leonard, Kenneth & Della B.
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Doering, Walter A. & Marjorie H.
MD#32 Drury Lane
Newburgh, New York 12550

✓ Orzo, Joseph & Anne
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Ward, James H. & Frances M.
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Weygant, Arthur F. Jr. & Carol
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Doering, Adolph F. & Kim A.
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Valdina, Michael B.
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Doering, Gerald A. & Catherine E.
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Milo, Clifford
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Gillick, Anna Estate Of
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Baxter, Harold
RD#2 Mt. Airy Road
New Windsor, New York 12550

✓ Newburgh Water Supply
C/O City Comptroller
City Hall
Newburgh, New York 12550

Respectfully submitted,

Ellsworth E. Weyant
ELLSWORTH E. WEYANT

Sole Assessor
Town of New Windsor

Cavalari & Larocca

ATTORNEYS AT LAW
POST OFFICE BOX 276
VAILS GATE, NEW YORK 12584

Alfred F. Cavalari
Elia M. Larocca

Telephone:
914-581-5969

May 21, 1976

Shirley B. Hassdenteufel, Secretary
New Windsor Planning Board
33 Knox Drive
New Windsor, New York 12550

Re: Sesame Estates

Dear Shirley:

If it makes any difference, the actual name of the subdivision will be "Olde Colony Estates". The owner is of course Sesame Estates, Inc.

The maps will be amended to show the name of the subdivision as above. Please amend the Notice of Public Hearing, if necessary.

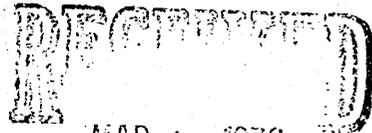
Yours truly,

Alfred F. Cavalari, Esq.
ALFRED F. CAVALARI

AFC/sf

Cavalari & Laroocca

ATTORNEYS AT LAW
POST OFFICE BOX 276
VAILS GATE, NEW YORK 12584



MAR 4 1976

Telephone:
914-561-5969

Alfred J. Cavalari

Elia M. Laroocca

NEW WINDSOR PLANNING BOARD

March 1, 1976

Mr. Henry Van Leeuwen, Chairman
Planning Board
Town Hall
555 Union Avenue
New Windsor, New York 12550

Re: Sesame Estates

Dear Hank:

Replying to yours of February 26th, as I stated at the end of the meeting, in reply to Mr. Loscalso, the stone walls were certainly mentioned in the original presentation. We have instructed the engineers to make every effort to comply with the goal of saving the walls. I don't believe that they were eliminated in the presentation made lastweek but it does seem that there were letters, and we will see that there are more the next time.

I agree with you that they are most desirable from an esthetic point of view and that of course, is why we have pursued the cluster zoning.

Thank you.

Yours truly,

Alfred J. Cavalari
ALFRED F. CAVALARI

AFC/sf

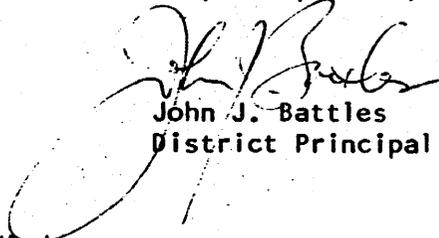
CC: Mr. Joe Weinberg
Mr. Stanley Feuer
Mr. Irving Raskin

February 25, 1976

culdesacs at Mountain View Place would not permit us to provide bus service directly to the children, but, instead, would put us in a position of having to pickup large groups of children far from their residences.

I hope my comments will be of help to you in your future planning.

Very truly yours,



John J. Battles
District Principal

vo

cc: Supervisor, Town of New Windsor
✓ Chairman, Planning Board, Town of New Windsor
Supervisor, Highway Department, Town of New Windsor



1763

OFFICE OF THE PLANNING BOARD

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

February 26, 1976

Alfred Cavalari, Esquire
P.O. Box
Vails Gate, New York

Dear Al:

The Planning Board would like Sesame Estates to adhere to the original agreement as far as saving the stone walls with map dated December 18, 1975. The reason we agreed to go with Cluster was so Sesame could save the stone walls. Why is this changed?

Very truly yours,

HENRY VAN LEEUWEN
Chairman

HVL:sh



1763

OFFICE OF THE PLANNING BOARD

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

December 1, 1975

Alfred Cavalari, Esquire
P.O. Box
Vails Gate, New York

RE: Sesame Estates

Dear Mr. Cavalari:

In Executive Session the Planning Board of the Town of New Windsor decided that only 15,000 square feet of lots would be acceptable for your Sesame Estates Development.

If there is any questions regarding this matter feel free to call me.

Very truly yours,

JOSEPH LOSCALZO
Chairman

JL:sh

1-12-75
Received
Planning Board
J.H.

Alfred F. Cavalari & Elia M. Larocca

ATTORNEY AT LAW
P. O. BOX 276
VAILE GATE, NEW YORK 12584
TELEPHONE: AREA CODE 914 JO 1-5969

31 December 1975

Mr. Joseph Loscalzo
Chairman, New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

Re: Sesame Estates

Dear Mr. Loscalzo:

As a result of our last appearance our engineer has re-drawn the initial sketches for the above and I am enclosing a copy herewith. As you will see the number of turnarounds has been reduced from 5 to 2, all other roads are through roads. In addition the turnarounds will be guaranteed at 120' diameter.

In view of this redraft we would ask that the board place us on the agenda for its next meeting. As previously stated we think that the cluster concept is much more favorable from an aesthetic point of view and from the point of view of the ultimate consumer who will have 30 acres of area in one way or another which will be open. We fully agree as was stated by Mr. Jones that all of this is not the kind of area which would be used for childrens play grounds or similar types of recreation. I do submit, however, that open areas in any situation is healthful for a physical and probably in these days even more important from a mental point of view of the people who are living there.

We appreciate the effort of the planning board to date and assure you of our cooperation. Thank you

Yours truly,

Alfred F. Cavalari
ALFRED F. CAVALARI

AFC/r1

enc:

cc: Mr. Stanley Feuer
Mr. Irving Raskin
Mr. Joseph Weinberg
Eustance & Horowitz

Alfred F. Cavalari & ELIA M. LAROCCA

ATTORNEY AT LAW

P. O. BOX 276

VAILS GATE, NEW YORK 12564

TELEPHONE: AREA CODE 914 JO 1-5969

December 2, 1975

Mr. Joseph Loscalzo, Chairman
New Windsor Planning Board
17 Split Tree Drive
New Windsor, New York 12550

Re: Sesame Estates

Dear Mr. Loscalzo:

My clients inform me that the selling price of the houses will be at least \$40,000.00.

Please consider this as part of our official application. This information was requested at our last appearance.

Yours truly,

Alfred F. Cavalari
ALFRED F. CAVALARI

AFC/sf

CC: Mr. Joe Weinberg
Mr. Irving Raskin
Mr. Stanley Feuer

Alfred F. Cavalari & ELIA M. LAROCCA
ATTORNEY AT LAW
P. O. BOX 276
VAILE GATE, NEW YORK 12584
TELEPHONE: AREA CODE 914 JO 1-5969

September 8, 1975

Mr. Henry Van Leuvan
Vice-Chairman, New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

Re: Sesame Estates

Dear Mr. Van Leuvan:

We would appreciate knowing right away, the decision of the Planning Board on our application concerning whether the board wants us to use larger lots. As I stated, at our last meeting, we don't believe it is in the public interest to jam as many lots as possible into a subdivision. On the other hand, leaving 28 acres open is, we feel, a unique and much more pleasing subdivision.

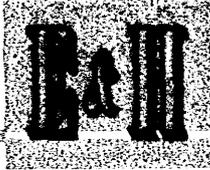
This is our third year in this application, and you can understand that we are anxious to avoid any more delay.

Thank you.

Yours truly,

Alfred F. Cavalari
ALFRED F. CAVALARI

AFC/sf



EUSTANCE & HOROWITZ, P. C.

CONSULTING ENGINEERS - LAND PLANNERS - LAND SURVEYORS

P. O. BOX 525
CIRCLEVILLE, N. Y. 10919
TELEPHONE (914) 361-4541
August 13, 1975

Mr. Joseph Loscalzo, Chairman
Town of New Windsor Planning Board
17 Split Tree Drive
New Windsor, New York 12550

Dear Mr. Loscalzo:

Subject: Sesame Estates
Town of New Windsor

I met with Mr. Paul Cuomo, Town Engineer, and Mr. Howard Collett, Building Inspector, concerning the above-captioned subdivision.

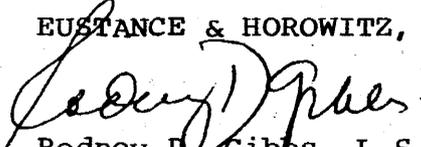
The new zoning for this area specifies 15,000 sq.ft. lots with public sewer and water services, which are available. We would like to cluster the number of units allowed on the 15,000 sq.ft. basis using 12,500 sq.ft. lots.

Both Mr. Cuomo and Mr. Collett gave their verbal approval to this proposal. If this is acceptable, we will submit a sketch plan layout showing the proposed clustered use, including the lands to be set aside for parkland.

I understand we are on the agenda for August 27th at 7:30 p.m., at which time a decision will be made as to the method of calculating our lots.

Very truly yours,

EUSTANCE & HOROWITZ, P.C.


Rodney D. Gibbs, L.S.

cc: Mr. Paul Cuomo
Mr. Howard Collett
Mr. Philip Crotty
Mr. Alfred Cavalari
Messrs Feuer, Raskin & Weinberg
File

RECEIVED

MAY 20 1975

NEW WINDSOR PLANNING BOARD

OFFICE OF THE ~~SUPERVISOR~~ TOWN ATTORNEY

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, New York 12550
(914) 565-8800

1768

May 20, 1975

Alfred F. Cavalari, Esq.
Route 32
Vails Gate, New York 12584

Re: Sesame Estates

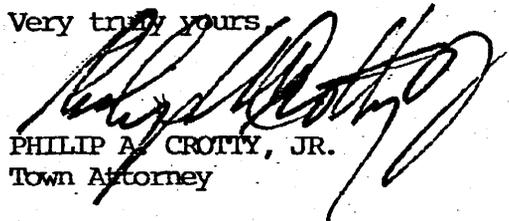
Dear Al:

I have been requested by the Town Planning Board to write to straighten out a scheduling error made in good faith by the recording secretary of the Town Planning Board.

At its workshop meeting of Wednesday, May 14, 1975 the Town Planning Board determined to withhold consideration of Sesame Estates until Autumn, 1975. By that time the new subdivision regulations will be in final form and adopted.

If you have any questions about a definite date, please contact Mrs. Shirley Hassendteufel at 562-2762.

Very truly yours



PHILIP A. CROTTY, JR.
Town Attorney

PAC/bb

cc

Chairman—Town Planning Board
Recording Secretary—Town Planning Board

RECEIVED
MAY 20 1975

Alfred F. Cavalari & ELIA M. LAROCCA
ATTORNEY AT LAW
P. O. Box 276
VAILS GATE, NEW YORK 12564
TELEPHONE: AREA CODE 914 JO 1-3989

MAY 27 1975

NEW WINDSOR PLANNING BOARD

May 23, 1975

Philip A. Crotty, Jr.,
Town Attorney
555 Union Avenue
New Windsor, New York 12550

Re: Sesame Estates -
New Windsor Planning Board

Dear Phil:

I received your letter of May 20th with disappointment and dismay and I am sure my clients will react with even greater intensity.

We have in about two years, been able to get before the Planning Board one time, so you will agree that progress is agonizingly slow. It is our request only to appear and of course we are not expecting any where near final approval for any commitment but if we do not get started, we will never get done.

I respectfully suggest that the Planning Board is by this action, imposing a moratorium when in fact, the Town Board has not and I would suggest that they are on very thin legal grounds in refusing to take applications. I think my client has been most reasonable.

Would you please check again and ask if the board won't reconsider and let us appear in June. Thank you.

Yours truly,

Alfred F. Cavalari, Jr.
ALFRED F. CAVALARI

AFC/sf
Mr. Joseph Loscalzo, Chairman
Mr. Ron Gibbs
Mr. Joe Weinberg
Mr. Irving Raskin
Mr. Stanley Feuer

#9 on the Agenda:

SESAME ESTATES #73-36
located on Mt. Airy Road
Represented by Attorney Al Cavalari
Mr. Fuerer, Mr. Weinberg, and Mr. Raskin

Attorney Cavalari: A few years ago we were before the Board.

Vice Chairman Van Leeuwen: Has this been checked under the new Zoning?

Attorney Cavalari: Yes and no. We are under Cluster type. We have 28 acres open space. We are asking the Board to consider 12,500 ft.

Vice Chairman Van Leeuwen: Who are the principals?

Attorney Cavalari: Mr. Fuerer, Mr. Weinberg and Mr. Raskin.

Vice Chairman Van Leeuwen: One of your principals have been connected with Vails Gate Heights. There are several problems there.

Attorney Cavalari: That is Mr. Fuerer. A minor stockholder. We are here for sketch approval tonight. The Town Board gave us conceptual approval at their meeting.

Attorney Crotty: The Town Board was careful to word that resolution.

Vice Chairman Van Leeuwen: Are you going to keep lot sizes under 15,000 square ft.?

Attorney Cavalari: Under cluster zoning we propose 12,500 ft. 28 acres will be open space. Twenty eight acres out of eighty four (84) acres. We are here to show our sketch. We would like you to look at the sketch. (Showed sketch to the Board.)

Mr. Jones: Would you give me a picture of what this land looks like?

Mr. Rod Gibbs, Architect; explained to the Board the sketches.

Attorney Cavalari: This is the old Fayo property.

Attorney Crotty: The Cluster concept - Let's say this was a normal routine Subdivision. We would levy a certain piece of it for park and recreation or we would extract money for park and recreation. By your Clustering what effect would it have on what we would do if it were a normal subdivision.

Attorney Cavalari: You should have the same # of lots in that much acreage if you had regular lot sizes.

Attorney Cavalari continued:
You may reduce them subject to all this procedure.

Attorney Crotty: What is the Zoning?

Attorney Cavalari: R 4A

Attorney Crotty: You are proposing 12.5 x 137. 1.65 units per acre. Eight acres open space, you are offering 28 acres open space. We could say we don't want the other 20 acres. We could take the money. If it is on a hill side we don't have to take it and we could take the money instead.

Mr. Argenio: We have a water situation in this Town. We have a problem for supply.

Attorney Cavalari: This was studied by Kartiganer Engineers. We are here tonight with a sketch plan.

Mr. Jones: I think the map should comply to the new zoning, 15,000 square ft.

Attorney Cavalari: Because of zoning - two years ago it was 12,000 ft. We are willing to conform to 15,000. We would give up 15 on this sketch. Under Cluster Zoning two years ago you could have 137 lots. Now you can only have about 120 lots.

Mr. Cuomo: Your map has to be updated. I would like to read from Kartiganers Report on the water the last paragraph of the report referring to technical feasibility of creating a water and sewer district. It is feasible for they can hook into Sewer District 16. It states that such a project should not be undertaken until such time as proposed Water District 8 is under construction and the Town's water supply is sufficient to meet the proposed needs.

Mr. Argenio: I am talking as a layman - I always go by the track record. I want to know the principal owners in this corporation. (in writing) I don't want to see another episode where everything falls back on the Town.

Attorney Cavalari: The interest of the Town is what I have and what my client thinks of.

Vice Chairman Van Leeuwen: The Board has discussed this tonight. They have all been in that particular sub division. There are some things that aren't right.

Attorney Cavalari: I think it would be prejudicial for someone to speak on another development who has no bearing on this. We have been cooperative. He put up \$5,000 for the Engineering study. There is no debate here. I would hate to see something put on the record that had nothing to do with this development.

Vice Chairman Van Leeuwen: The Highway Superintendent has complained.

Mr. Weinberg: You are referring to someone who is a minority stockholder. I am the President of the Sesame Company. I have no interest and never had any interest in what you are referring to. I think it is unfair to Sesame Estates. I have nothing to do with it.

Mr. Argenio: We have had trouble with Robert Arms and Vails Gate Heights and we don't want it to happen again. We aren't going to have these problems again.

Vice -Chairman Van Leeuwen: We have a bad taste.

Attorney Cavalari: We are not prepared to answer charges.

Attorney Crotty: One of your principals is involved.

Mr. Weinberg: He is a minority stockholder.

Mr. John Canner, President of the Vails Gate Heights Homeowners: I understand what these people are talking about but for two years we have tried to find out about a road that has had no repair. Mr. Feurer says he has a letter from the Town saying the road is accepted. The Town says the road was not accepted.

Mr. Argenio: We were there, we saw the road.

Vice Chairman Van Leeuwen: We were there today and saw the road.

Mr. Jones: Who owns the road?

Attorney Crotty: The road was never accepted by the Town.

Mr. Stanley Feurer: The road was done twice already. One time it was done and it wasn't accepted. The second time we called Mr. Vesely, he saw it and accepted it. Mr. Vesely told me something else had to be done. To make a railing where the lake is. We fixed it. It is forgotten. I brought the deed to Julia Tuckosh. I paid my lawyer. I thought it was all taken care of.

Vice Chairman Van Leeuwen: The condition of the road is terrible. The condition of the place is terrible. Things are falling apart.

Mr. Feurer: This is not my department. I built Town houses and single family houses.

Mr. Cuomo: Whatever the Town has to take care of they will.

Vice Chairman Van Leeuwen: Will you come up here and see Mr. Crotty and take care of these things.

Mr. Feurer: Give me your card. Yes, I will come up to see him.

Attorney Crotty: It is not accepted by the Town.

Mr. Feurer: I will bring the papers from my Attorney. I will get back to you on the conditions of the apartments. Jack Haberman is the owner of the apartments. Not me. I sold houses.

Johanna Delgato, Vails Gate Heights: My home is built on a lot that I don't own. Part of my house is on my neighbors lot. Recently the Town had to come in to see a water pipe. I can never sell my house. The Town water pipe is 15 ft. into my property.

Mr. Argenio: Have you been to the Town Board meetings and told them of this?

Mrs. Delgato: We have been to many Town Board meetings.

Mr. Argenio: Have you made them aware?

Mrs. Delgato: Yes.

Mr. Feurer: The Engineer made the mistake. We wanted to correct this. One of the women wouldn't let us do this.

Vice Chairman Van Leeuwen: Is this true?

Mrs. Delgato: I don't know. Unfortunately I can never sell my home because of this.

Mr. Hummel, Vails Gate Homeowner: We are looking for an act of goodwill. We are here to make notes of these problems.

Vice Chairman Van Leeuwen: There are only certain things this Board can do.

Mr. Feurer: Two people refused to budge so we could do nothing. I will look into everything. One woman is her neighbor.

Vice Chairman Van Leeuwen: Would you look into these things, Mr. Feurer?

Mr. Feurer: Yes, I will.

Attorney Cavalari: There are two sides to every story. These things become highly prejudicial. We didn't know anything about these issues until we heard something in the hall. They cloud what we are here about. I don't want you to think we are standing on technicalities. Can we get on the next agenda?

Vice Chairman Van Leeuwen: We will notify you.



1763

OFFICE OF THE SUPERVISOR

TOWN OF NEW WINDSOR

Supervisor
Theodore F. Marsden
555 Union Avenue
New Windsor, New York 12550
(914) 565-8800

Copy to go to John Stanton 8/8/73

July 24, 1973

John Stanton, Esq.
33 Quassaick Avenue
New Windsor, New York 12550

Alfred Cavalari, Esq.
P.O. Box 276
Vails Gate, New York

Gentlemen:

As a result of the recent referral by the Town Board on the proposed subdivision known as Sesame Estates this will be in keeping with the direction of the Town Board made at the meeting of July 18th with regards to the drafting of a proposed agreement between the Town of New Windsor and the owners of Sesame Estates, Inc. which instrument is to be put into writing as a result of this narrative as well as any additions you or the Town Board may suggest as a result of this letter.

I am going to establish and recommend for the Local Law which was discussed and is in the process of being drafted by the Town Attorney that two 281 zones be considered for (1) For RB land and others, and (2) for RA land which would develop in the western end of the county such as the area where the proposed subdivision of Sesame Estates is located. In this RA 281 I would stipulate that their space and requirements as found under group C in the RB zone would be minimal requirements for the RA cluster review. This would require a lot area of 12,000 sq.ft., a lot width of 90 ft., lot depth of 100 ft., front yard of 30 ft., side yard of 12 ft., both sides 30 ft., a rear yard of 35 ft. and a livable floor area per dwelling unit of 1,000. With regards to one family units and two off street parking units per dwelling unit, these of course would be minimum figures and I would assume could be varied in certain circumstances to some degree by appropriate administration of the Planning Board. I would assume that other aspects of the zoning that are not specifically included in the agreement and/or proposed Ordinance for P.U.D. will be those that are contained in the Subdivision, Road Ordinance, Water Ordinance, Sewer Ordinance, Zoning Ordinance as are now in effect for the Town.

With regards to Water and Sewer. Since this area is not in a district we would certainly have to have petitions pursued to either Article 12 or 12a as deemed appropriate by the Town Board to include this area and/or surrounding areas into a sewer district and/or water district which would



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OFFICE OF THE SUPERVISOR

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Supervisor
Theodore F. Marsden
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serve this housing development in the area in general if deemed necessary and such figures would be of course established by the Town Board based upon the cost of construction of any improvements that the Town may put in through bond issue or the charges which the Town has already been exposed to for the creation of other districts whose facilities would be utilized in the servicing of this area the proposed extension to a given district or the creation of a new one. It would be necessary to perhaps enter into agreement with the contractor to insure payment pursuant to approval of Audit and Control for the creation of Water and Sewer and it is also understood and mutually agreed by both sides that preparation for application in the case of water would have to be made through the N.Y.S. Dept. of Environmental Conservation and I would assume that the burden for these legal expenses would be the responsibility of the applicant

In the instance where a proposed 281 would not be serviced by the Town then appropriate provisions must be made for the creating of a Sewer District and/or plant or contracting with another municipality and presenting of pledges, bonds or securities to insure that perhaps proper work is done to insure that some method of payment could be made to another agency. This is not applied to this case but I feel that the Ordinance would have to tie this item down.

In this case we have a Sewer District that exists and a Water District that is pending and I would assume that contracts would have to be negotiated between the owner of Mt. Airy and this subdivision for the use of water. Agreement would have to be favorably approved by the Town Board and adjustment of costs made by the Town Board for various charges to put S.D.#16 in proposed W.D.#8.

Enclosed please find an agreement similar to what we have. This agreement of course was not signed by the Town as indicated and we are changing substantially the bulk and parking regulations under Article 2 of this chapter. This was a proposed agreement originally made for Parkdale Estates and this version of the agreement was not signed. I feel that the agreement between Sesame and the Town of New Windsor could follow this and have included into it other stipulations that the Town Board may want to have in this document. I feel the following are items which would have to be part of this.



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page three

1) We would want the park land granted provided that the recommendations of the Youth and Recreation Commission and the Board of Education determine if this park land is to be taken over in any part or all by the Town. These recommendations will have to come from the Youth and Recreation Commission and/or the Board of Education of the school district which is involved and I would like to see assurances in there in any one of three ways or perhaps a joint application of use if that is the case. One would be to spell out as stipulated in the P.U.D. Ordinance.

a. A Homes Association shall be established as an incorporated, non-profit organization operating under recorded land agreements through which each lot owner is automatically a member of the Association as stated in the deed for each lot of the Planned Unit Development.

b. Title to all common property, exclusive of land set aside for public schools, shall be placed in the name of the Homes Association.

c. Once established, all responsibility for operation and maintenance of the common land and facilities shall lie with the Homes Association.

d. Resubdivision of common areas is prohibited and the deeds shall be so drawn.

e. The Homes Association shall be perpetual; shall purchase insurance; pay taxes; specify in its charter and by-laws an annual home-owner's fee, provision for assessments, and establish that all such charges become a lien on each property in favor of said Association. The Association shall have the right to proceed in accordance with all necessary legal action for the foreclosure and enforcement of liens, and it shall also have the right to commence action against any member for the collection of any unpaid assessment in any court of competent jurisdiction.

f. The developer shall assume all responsibility for the Homes Assn. as previously outlined until a majority of the dwelling sites are sold or rented at which time the Homes Association shall be automatically established.

g. I would also like a clause in there which stipulates that the signing of the deed of the purchase of the property can be considered as a signature under Article 12 of the Town Law for petition for the formation of a park district which would encompass any or all lands owned by the Town and/or the Association which is solely used by the Association. In the event that the Town or the appropriate agency of the Town feels that the land is not properly being cared for by the Homeowners Assn. the Town will be allowed to form a district within 30 days notice after a public hearing thus being able to either act as commissioners for the district or district commissioners could be elected from within the Homeowners Association.



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Theodore F. Marsden
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New Windsor, New York 12550
(914) 565-8800

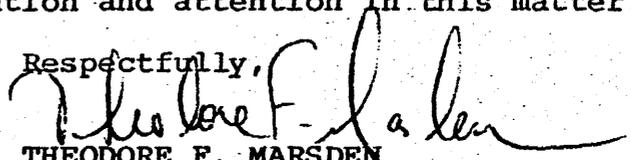
page four

- 2) The Town Board would want the Engineer for the Planning Board to insure the Town Board and the future residents of the area that storm drainage from this project will be followed to the final source and in sufficient capacities within the lines that exist. If not, any improvement of existing storm facilities will be at the burden of the developer even though such installations may take place outside of his subdivision area.
- 3) We would also like to require and recommend that no less than 8 in. water and sewer lines and the proper hydrants be installed in the subdivision pursuant to recommendations of the Water Superintendent, Sanitary Superintendent and also with the approval of the Fire Prevention Bureau.
- 4) The Town Board would reserve the right and require the proposed subdivision be directed to have plans reviewed by an engineer of choosing to insure that sufficient water and sewer capacities exist and perhaps that water storage capacities if needed would be included in the subdivision plans and it will be understood between both parties that if this is the case the engineering fees that would be charged to the Town could and would be properly assessed to the subdivision.

I believe this will give you a general idea as to what the Town Board will want and I feel that any input that we may receive from the Town Board, Planning Board, Planning Board Attorney and Engineer should also be submitted as soon as possible so that this agreement may be presented in draft form for initialling by the Town Board and the Planning Board.

I wish to thank you for your cooperation and attention in this matter.

Respectfully,


THEODORE F. MARSDEN
Supervisor

TFM/km
enc

OFFICE OF THE PLANNING BOARD

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

September 6, 1973

John Stanton, Esquire
33 Quassaick Avenue
New Windsor, New York 12550

Dear John:

In accordance with the Town's Code of Ethics the Planning Board Attorney has disqualified himself with reference to Sesame Estates.

I respectfully request your legal advise in this matter.

Attached please find a copy of letter pertaining to Sesame Estates.

Respectfully,

Joseph Tallarico
JOSEPH TALLARICO
Chairman

JT/sh
enc.



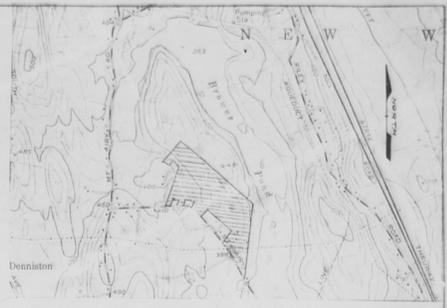
NOTE:
 - R-A ZONE
 - 12,000 SQ FT MIN
 - 100' WIDE AT SETBACK
 - 125' DEEP
 - PUBLIC WATER & SEWER
 - 8701 A: OPEN SPACE
 - 8837 A: TOTAL
 - 123 SINGLE FAMILY LOTS
 - 16 UNITS/ACRE

PRE PRELIMINARY
PLAN OF SUBDIVISION
 LANDS OF
SESAME ESTATES, INC.
 TOWN OF NEW WINDSOR - CO. OF ORANGE
 SCALE 1" = 100' - MAY 9, 1973



EUSTANCE & MORROW, P.C.
 BOX 225, CARLEVILLE, N.Y. 10810

Prepared by photogrammetric methods from photography taken JANUARY 16, 1973. SCALE: HORIZ 1" = 100'



NOTE:

- R-A ZONE
- 12,500 SQ FT MIN
- 100' WIDE AT SETBACK
- 125' DEEP
- PUBLIC WATER & SEWER
- 88.3 A: OPEN SPACE
- 88.3 A: TOTAL
- 137 SINGLE FAMILY LOTS
- 1.65 UNITS/ACRE

PLAN OF SUBDIVISION
LANDS OF
SESAME ESTATES, INC.
 TOWN OF NEW WINDSOR CO. OF ORANGE
 SCALE 1" = 100' MAY 9, 1973
 Revised 1/2/73

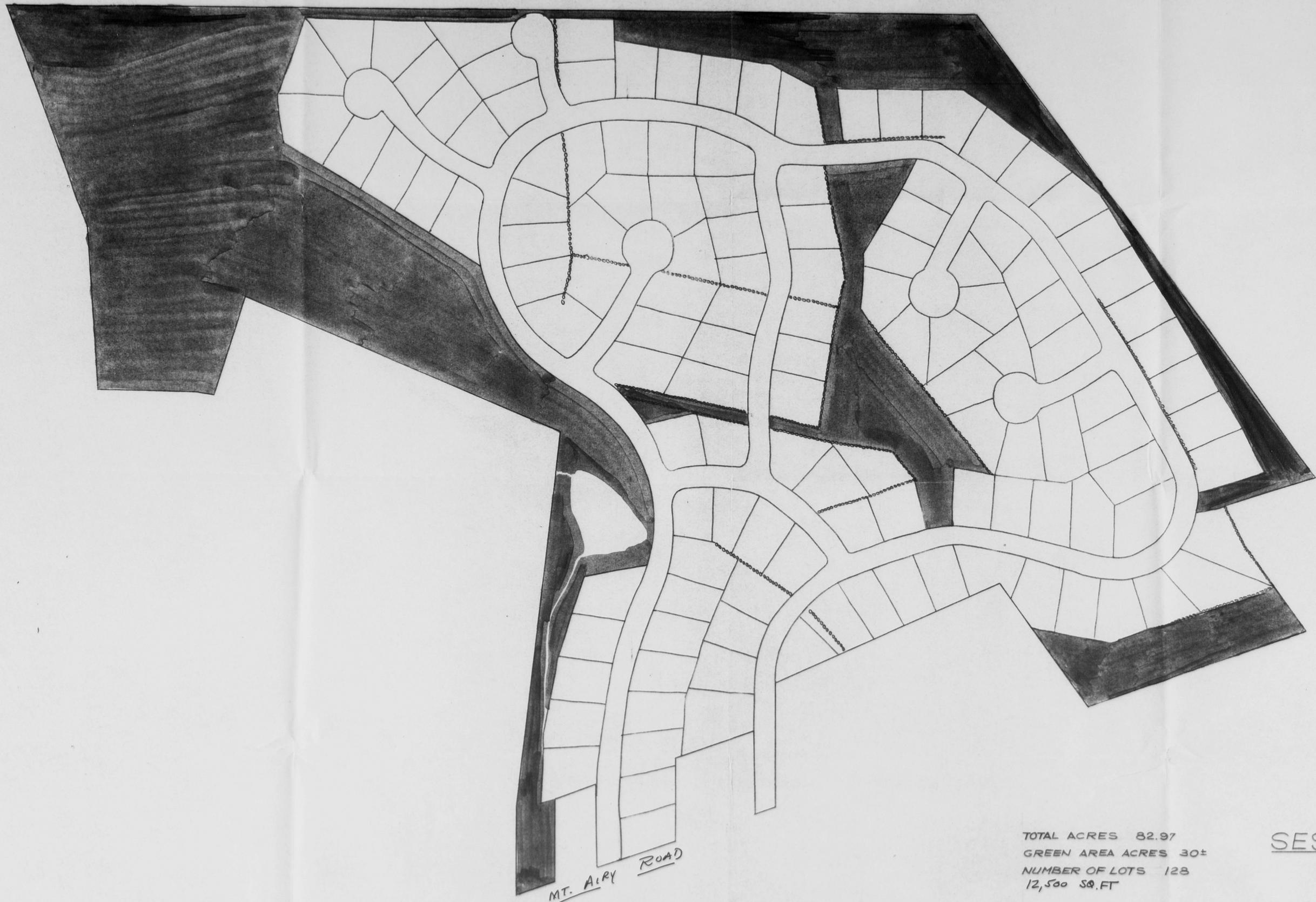


UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 (2), OF THE NEW YORK STATE EDUCATION LAW.

ESTABLISHED BY HOBSON/TZ, INC.
 800 N. 225, CINCINNATI, OH 45202

SCALE 1" = 100'

HORIZ 15, 1973



MT. AIRY ROAD

TOTAL ACRES 82.97
GREEN AREA ACRES 30±
NUMBER OF LOTS 128
12,500 SQ. FT

SESAME ESTATES

SKETCH PLAN

TOWN OF NEW WINDSOR
SCALE: 1"=100' NOVEMBER 24, 1975

EUSTANCE AND HOROWITZ, P.C.
CIRCLEVILLE, NEW YORK 10919



RA - ZONE
100' WIDE AT SETBACK
125' DEPTH
12,500' LOT AREA
TOTAL ACRES 82.97
GREEN AREA 30± ACRES
NUMBER OF LOTS 130

PLAN A'
SESAME ESTATES
SKETCH PLAN

TOWN OF NEW WINDSOR
SCALE: 1"=100' DECEMBER 18, 1975